

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

CASE NO.: 06-00578-5-ATS

WALTER LEE WHITTINGTON
NORA GURNEY WHITTINGTON,

CHAPTER 7

DEBTORS

NOTICE OF PROPOSED PUBLIC SALE AND
NOTICE OF COMPENSATION OF AUCTIONEER

TO: ALL PARTIES IN INTEREST

1. Pursuant to 11 U.S.C. §363(b), Federal Rules of Bankruptcy Procedure 6004, 2002(a), and 2002(c)(1), notice is hereby given that David M. Warren ("Trustee"), the Chapter 7 Trustee, proposes to sell the following described property:

House and Lot
2433 Village Grove Road
Raleigh, North Carolina

2. Notice is further given that the Trustee proposes to sell the property at the date, time and place as hereinafter set out:

DATE: August 31, 2006
TIME: 10:00 a.m.
PLACE: 2433 Village Grove Road, Raleigh, NC


3. The Trustee has filed an application with the court to approve the employment of Country Boy's Auction and Realty Company as auctioneer whose compensation shall be fixed at a rate not to exceed the following:

<u>REAL PROPERTY</u>	<u>PERSONAL PROPERTY</u>
10% Of First \$5,000	10% Of First \$25,000
3% Of Next \$10,000	5% Of Next \$25,000
2% Of Next \$60,000	2% Of Balance
1.5% Of Next \$120,000	
1% Of Balance	

4. The auctioneer shall be reimbursed for all reasonable and necessary expenses of sale. Such compensation and reimbursement of expenses shall be subject to final review by the court, without further notice.

5. An objection to the proposed sale and/or compensation of the auctioneer may be filed with the Clerk, U.S. Bankruptcy Court, Post Office Box 1441, Raleigh, North Carolina 27602-1441, with a copy served on the Trustee whose name appears at the bottom of this notice, WITHIN FIFTEEN (15) DAYS of the date of this notice. No hearing will be conducted on the objection unless the court, in its discretion, deems a hearing necessary, or unless a hearing is requested by the party filing such request. If a hearing is requested it will be held at a date, time and place to be later set by the court and all interested parties will be notified accordingly. Any party requesting a hearing shall appear at the hearing in support of such request or he may be assessed with costs.

Dated: July 17, 2006



David M. Warren
Trustee
P.O. Drawer 353
Rocky Mount, NC 27802-0353
Telephone: (252) 446-2341
Facsimile: (252) 446-4060

CERTIFICATE OF SERVICE

I, David M. Warren, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;


That on this day, I served a copy of the foregoing Notice of Proposed Public Sale and Notice of Compensation of Auctioneer on:

See attached Exhibit A

by depositing same in the United States mail, first class, postage prepaid.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: July 12, 2006



David M. Warren
Trustee
P.O. Drawer 353
Rocky Mount, NC 27802-0353
Telephone: (252) 446-2341
Facsimile: (252) 446-4060

Bank of America
Attn: Bankruptcy Dept.
PO Box 26012
Greensboro, NC 27420-6012

Marjorie K. Lynch, Esq.
Bankruptcy Administrator
Two Hannover Square, Ste. 620
434 Fayetteville Street
Raleigh, NC 27601

BB&T - Service Agent
Mr. Jack R. Hayes
PO Box 1847
Wilson, NC 27894-1847

Chase
Attn: Bankruptcy Dept
PO Box 15919
Wilmington, DE 19850-5919

Citi Cards
Attn: BK Operations
PO Box 20507
Kansas City, MO 64195-9903

Employment Security Commission
Attn: Officer or Managing Agent
PO Box 26504
Raleigh, NC 27611-6504

GE Money Bank/Bank
Attn: Officer or Managing Agent
4246 South Riverboat Rd.
Suite 2001
Salt Lake City, UT 84123-2551

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
Attn: Officer or Managing Agent
PO BOX 21126
PHILADELPHIA PA 19114-0326

JC Penney
Attn: Bankruptcy Department
PO Box 103126
Roswell, GA 30076

Marjorie Gresham
Oak Hill Living Center
9767 NC 210 North
Angier, NC 27501

NC Department of Revenue
Ofc Services Division-Bky Unit
PO Box 1168
Raleigh, NC 27602-1168

Nora Gurney Whittington
2433 Village Grove Road
Raleigh, NC 27613

Ryan Dyson, Esq.
Ryan Dyson, PLLC
8520 Six Forks Road, Suite 101
Raleigh, NC 27615

Sears Bankruptcy Center
Attn: Managing Agent
7920 NW 110th Street
Kansas City, MO 64153-1270

Secretary of the Treasury
Attn: Officer or Managing Agent
1500 Pennsylvania Ave NW
Washington, DC 20220

Securities & Exchange Commission
Branch of Reorganization
Attn: Officer or Managing Agent
3475-1000 Lennox Rd NE
Atlanta, GA 30326-3235

United States Attorney
Federal Building, Ste 800
310 New Bern Avenue
Raleigh, NC 27601-1461

Wake Co Revenue Dept
Attn: Managing Agent
PO Box 2331
Raleigh, NC 27602-2331

Walter Lee Whittington
2433 Village Grove Road
Raleigh, NC 27613

York Simpson Underwood
3700 Computer Drive
Raleigh, NC 27619